

United States District Court, Eastern District of Washington
Magistrate Judge Mary K. Dimke
Richland

**USA v. ALFREDO MAGANA
GARIBAY**

Case No. 4:15-CR-6049-EFS-18

Bail Hearing:

06/22/2017

- | | |
|---|--|
| <input checked="" type="checkbox"/> Debbie Brasel, Courtroom Deputy [R] | <input checked="" type="checkbox"/> Stephanie Van Marter, US Atty by video [S] |
| <input checked="" type="checkbox"/> Melissa Orosco, Courtroom Deputy [S] | <input checked="" type="checkbox"/> Michael Lynch, Defense Atty [R] |
| <input checked="" type="checkbox"/> Janie Coronado, US Probation [R] | Interpreter - NOT REQUIRED |
| <input checked="" type="checkbox"/> Defendant present <input checked="" type="checkbox"/> in custody USM
<input type="checkbox"/> out of custody | <input type="checkbox"/> Defendant not present / failed to appear |

-
- | | |
|---|--|
| <input type="checkbox"/> Defendant continued detained | <input checked="" type="checkbox"/> Conditions of Release imposed |
| | <input checked="" type="checkbox"/> 199C Advice of Penalties/Sanctions |

REMARKS

ECF No. 453, Defendant's Motion to Reopen; in the Alternative, Motion to Withdraw Waiver of Detention Hearing:

ECF No. 454, Defendant's Amended Motion to Reopen; in the Alternative, Motion to Withdraw Waiver of Detention Hearing:

COURT advised that this matter will be heard as an original bail hearing.

Argument by Ms. Van Marter for detention of Defendant

Recess 12:21 to 12:35

Argument by Mr. Lynch for Defendant's release on conditions

Rebuttal by Ms. Van Marter

U S Probation Officer Janie Coronado addressed the court.

Homeland Security Immigration and Customs Enforcement Officer Shawn Miller was sworn in and testified.

Direct examination by Ms. Van Marter

Cross examination by Mr. Lynch

Re-direct by Ms. Van Marter

Officer Miller was excused from the witness stand.

Additional argument by Mr. Lynch

The Court ordered:

1. Defendant shall be released on conditions, including \$50,000 Percentage Bond, with \$5,000 to be posted with U. S. District Court Clerk's Office.
2. The Bond must be posted prior to Defendant's release.
3. Prior to Defendant's release the following matters must be resolved: a) Arrest warrant for 4th degree assault; b) Proposed residence to be reviewed and approved by U S Probation; c) Firearm removed from Defendant's possession or potential possession.
4. If Defendant is taken into ICE custody, Defendant shall not take steps to voluntary deport or remove himself to Mexico.
5. If Defendant is taken into ICE custody, he shall be made available in the Eastern District of Washington for all criminal proceedings as are set throughout the course of this case.
6. Additional conditions of release were imposed upon Defendant as read to him in open court; order forthcoming.